

**ENTERED**

November 30, 2024

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

TAMMIE SMITH,

§

Plaintiff.

§

V.

§

CIVIL ACTION NO. 4:23-cv-03919

ASI LLOYDS,

§

Defendant.

§

**ORDER ADOPTING MAGISTRATE JUDGE'S  
MEMORANDUM AND RECOMMENDATION**

On August 19, 2024, all pretrial matters in this case were referred to United States Magistrate Judge Andrew M. Edison under 28 U.S.C. § 636(b)(1). Dkt. 36. Judge Edison filed a Memorandum and Recommendation on November 13, 2024, recommending that this lawsuit be dismissed with prejudice pursuant to Federal Rule of Civil Procedure 37(d) as a result of the plaintiff's refusal to participate in the discovery process. Dkt. 46.

No objections have been filed to the Memorandum and Recommendation. Accordingly, the Court reviews the Memorandum and Recommendation for plain error on the face of the record. 28 U.S.C. § 636(b)(1); *see also* FED. R. CIV. P. 72(b)(3).

Based on the pleadings, the record, and the applicable law, the Court finds that there is no plain error apparent from the face of the record. Accordingly, it is hereby **ORDERED** and **ADJUDGED** that:

- (1) Judge Edison's Memorandum and Recommendation (Dkt. 46) is **APPROVED** and **ADOPTED** in its entirety as the holding of the Court; and
- (2) This case is **DISMISSED WITH PREJUDICE**.

It is so **ORDERED**.

SIGNED at Houston, Texas on November 30, 2024.

  
GEORGE C. HANKS, JR.  
UNITED STATES DISTRICT JUDGE